

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

ZACH ELLIS, GERONIMO PEREZ,	§	
ARTURO SALINAS, JARROD M.	§	
DANIEL, and KERRY TAWATER,	§	
Individuals	§	
	§	
Plaintiffs	§	
	§	
vs.	§	CASE NO. 2:15-CV-00058-J
	§	
TRI-STATE OIL FIELD SERVICES, Inc.,	§	
a Texas Corporation, RICARDO “RICKY”	§	
CANTU, and individual, RICK’S TOWING	§	
OF AMARILLO, LLC, a Texas limited	§	
liability company, KATRINA KINCAID, an	§	
individual, and CANTU TOWING, LLC, a	§	
Texas limited liability company,	§	
	§	
Defendants	§	

**DEFENDANT KATRINA KINCAID’S ANSWER
TO PLAINTIFFS ORIGINAL COMPLAINT**

COMES NOW the Defendant, KATRINIA KINCAID (“Katrina Kincaid”), by and through its undersigned counsel, Darrell R. Carey, and files its Answer to Plaintiff’s Complaint as follows:

1. Katrina Kincaid admits that Plaintiff has brought an action under the Fair Labor Standards Act, 29 U.S.C. § 216 (b), but denies that Plaintiff states a claim upon which relief can be granted and further denies the remaining allegations in ¶ 1 of Plaintiff’s Complaint.
2. Katrina Kincaid lacks knowledge or information sufficient to form a belief about the truth of the allegations in ¶ 2 of the complaint.
3. Katrina Kincaid admits that the Plaintiffs were employees of Tri-State Oil Field Services but denies the remaining allegations in ¶ 3 of Plaintiff’s Complaint.

4. Katrina Kincaid admits that she may be served at her office at 302 S. Williams, Amarillo, Texas but denies the remaining allegations in ¶ 4 of Plaintiff's Complaint.

5. Katrina Kincaid denies the allegations set forth in ¶ 5 of Plaintiff's Complaint.

6. Katrina Kincaid denies the allegations set forth in ¶ 6 of Plaintiff's Complaint.

7. Katrina Kincaid denies the allegations set forth in ¶ 7 of Plaintiff's Complaint.

8. Katrina Kincaid denies the allegations set forth in ¶ 8 of Plaintiff's Complaint.

9. Katrina Kincaid denies the allegations set forth in ¶ 9 of Plaintiff's Complaint.

10. Katrina Kincaid denies the allegations set forth in ¶ 10 of Plaintiff's Complaint.

11. Katrina Kincaid denies the allegations set forth in ¶ 11 of Plaintiff's Complaint.

12. Katrina Kincaid denies the allegations set forth in ¶ 12 of Plaintiff's Complaint.

COUNT ONE - FLSA

13. Katrina Kincaid denies the allegations set forth in ¶ 13 of Plaintiff's Complaint.

COUNT TWO – Tort of Retaliation for Complaining about Overtime and Working Conditions

14. Katrina Kincaid denies the allegations set forth in ¶ 14 of Plaintiff's Complaint.

15. Katrina Kincaid denies the allegations set forth in ¶ 15 of Plaintiff's Complaint.

16. Katrina Kincaid denies the allegations set forth in ¶ 16 of Plaintiff's Complaint.

17. Katrina Kincaid denies the allegations set forth in ¶ 17 of Plaintiff's Complaint.

PRAYER

WHEREFORE, Defendant Katrina Kincaid respectfully requests that the Court:

A. Enter judgment in Katrina Kincaid's favor.

B. Award Katrina Kincaid its reasonable costs and fees, including attorneys' fees.

C. Grant Katrina Kincaid such other and further relief as the Court deems just and proper

Respectfully Submitted

/s/ Darrell R. Carey
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CERTIFICATE OF SERVICE

I certify that a true and exact copy of the Defendant Katrina Kincaid's Answer to Plaintiffs Original Complaint was served on Jerry McLaughlin and Philip R. Russ on the 12th day of March, 2015.

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/s/ Darrell R. Carey
Darrell R. Carey